

**Town of Shirley
Annual Town Meeting
June 2, 2014
Warrant**

Middlesex, ss.

Commonwealth of Massachusetts

To any of the Constables of the Town of Shirley in said County,

Greetings:

In the name of the Commonwealth aforesaid, you are hereby required to notify and warn the Inhabitants of said Town, qualified to vote in Town affairs, to assemble in the Auditorium of the Ayer-Shirley Regional Middle School at 1 Hospital Road in Shirley on Monday, the Second day of June, 2014 at 7:15 p.m., to consider the following:

ARTICLE 1: Accept Annual Town Report

To see if the Town will vote to accept the Reports of the Selectmen and other Town Officers for the Fiscal Year July 1, 2012 through June 30, 2013, as published and promulgated, a copy having been filed in the Office of the Town Clerk; or take any other action relative thereto.

Summary:

MGL c. 40, s. 49 requires the Selectmen to publish an Annual Report. It must include reports of the Selectmen, the Ayer Shirley Regional School District, Nashoba Valley Technical High School, the Accountant, and the Treasurer, while participation by other boards, committees, commissions, officials, and departments is voluntary. This article provides for formal acceptance of the compiled Annual Report, copies having been made available in advance of Town Meeting.

A majority vote is required for the passage of this article.

Sponsored by:
BOARD OF SELECTMEN

Board of Selectmen: ALL IN FAVOR
Finance Committee: ALL IN FAVOR

Article 2: Supplemental Appropriation of Funds for Fiscal Year 2014

To see if the Town will vote to transfer certain sums of money within the Fiscal Year 2014 budget or to appropriate a sum or sums of money to supplement said budget, said appropriations to be transferred from available funds, or take any other action relative thereto.

Line Item Number	Department/Account Name	FY2014 Approved	Proposed (Reduction/Increase)	FY2014 Revised Budget
423	Snow and Ice Removal Expenses	\$79,000	\$83,282	\$162,282
192	Public Buildings	\$133,585	\$31,387	\$164,972
543	Veterans Benefits	\$65,500	\$25,614	\$91,114
211	Police Chief Salary	\$87,443.20	\$10,523.24	\$97,966.44

Summary: *This article gives additional appropriations to individual line items for FY 2014.*

Snow and Ice produced a deficit due to severe weather conditions.

Public Building is to utilize energy conservation rebates received as a result of the Performance Contracting project. The Energy Committee is asking that the town appropriate \$31,387 in energy efficiency rebates to be used to offset the cost of the performance contracting project and for additional energy efficiency projects.

Veterans Benefits is to cover additional qualified veteran's expenses over what was estimated.

Police Chief Salary line is due to the retirement of the current Chief and his benefit accrual payout.

A majority vote is required for the passage of this article.

Sponsored by:
BOARD OF SELECTMEN

Board of Selectmen: ALL IN FAVOR
Finance Committee: ALL IN FAVOR

ARTICLE 3: Accept Salary Classification Plan, FY2015 Wage Scale (See Appendices A & B)

To see if the Town will vote to:

- Accept the Salary Classification Plan, as set forth in Appendix A;
- Amend the FY14 Wage Scale by increasing the rates of pay for each grade by 2% effective July 1, 2014, as set forth in Appendix B;

Summary: *The Town adopted a salary classification plan and wage scale at the 1998 Annual Town Meeting; the plan and scale have been revised regularly since then. The Wage Scale is a proposed flat Cost of Living increase of 2%; there is no Step increase proposed for FY2015. The following contracts: Fire Chief Contract, Police Chief Contract, DPW Union, Fire Union, Police Union and Dispatchers Union are reflected in line item 129 in Article 4, subject to successful negotiations.*

A majority vote is required for the passage of this article.

Sponsored by:
PERSONNEL BOARD
BOARD OF SELECTMEN

Board of Selectmen: ALL IN FAVOR

Finance Committee: AT TOWN MEETING (AWAITING DPW AND FIRE UNION CONTRACTS)

Article 4: Appropriate Omnibus Operating Budget for FY2015 (See Appendix C)

To see if the Town will vote to raise and appropriate or transfer from available funds such sums of money as may be required to defray Town charges for the fiscal period July 1, 2014 to June 30, 2015; or take any other action relative thereto.

Summary: *This article presents the proposed omnibus operating budget of the Town for FY2015, together with prior year approvals for spending comparisons (see Appendix C for the detailed line item budget).*

A majority vote is required for the passage of this article.

Sponsored by:

BOARD OF SELECTMEN

Board of Selectmen: ALL IN FAVOR

Finance Committee: ALL IN FAVOR

Article 5: Nashoba Valley Technical High School Roof Project

To see if the Town will approve the \$2,802,362 (TWO MILLION EIGHT HUNDRED TWO THOUSAND THREE SIXTY TWO DOLLARS) borrowing authorized by the Nashoba Valley Technical School District, for the purpose of paying costs of the Accelerated Roof Repair Project at the Nashoba Valley Technical High School, located at 100 Littleton Road, Westford Massachusetts, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the Nashoba Valley Technical School Committee. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-two and twenty-six hundredths (52.26%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA. The amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA, or act in relation thereto.

Summary: *This article seeks to approve the borrowing of the Nashoba Valley Technical High School roof. The Shirley portion for this project is estimated to be \$15k to \$17k for ten years beginning in FY 2016.*

A majority vote is required for the passage of this article.

Sponsored by:

NVTHS

Board of Selectmen: ALL IN FAVOR

Finance Committee: ALL IN FAVOR

Article 6: Appropriate Sewer Department Budget for FY2015

To see if the Town will vote to raise and appropriate, or transfer from available funds, including Sewer Enterprise receipts, a certain sum of money for the FY15 budget to operate the Sewer Enterprise; or take any other action relative thereto.

LINE 442: FY2015 SEWER DEPARTMENT BUDGETS

Description	Appropriated FY14	Requested FY15
Wages, Hourly	\$ 32,115.00	\$ 20,293.42
Health Insurance	\$ 18,484.00	\$ 00.00
Medicare	\$ 582.00	\$ 295.00
Contracted Services/Operations & Maintenance	\$ 449,617.00	\$382,615.06
General Operations/User Expenses	\$ 86,700.00	\$ 86,700.00
Reserve Fund	\$ 30,000.00	\$ 30,000.00
Capital Assessments & Debt Service/Betterment Expenses	\$ 892,110.00	\$891,241.00
Total Sewer Department	\$1,509,608.00	\$1,411,144.48
Indirect Cost Expenses	\$ 40,429.00	\$40,429.00
<u>Total Sewer Department Spending</u>	<u>\$ 1,550,037.00</u>	<u>\$1,451,573.48</u>

Summary: *This article presents the proposed Sewer operating budget of the Town for FY2015.*

A majority vote is required for the passage of this article.

Sponsored by:
SEWER COMMISSION

Board of Selectmen: ALL IN FAVOR
Finance Committee: ALL IN FAVOR

Article 7: Appropriate Ambulance Department Budget for FY2015

To see if the Town will vote to raise and appropriate, or transfer from available funds, including Ambulance receipts, a certain sum of money for the FY15 budget to operate the Ambulance Enterprise; or take any other action relative thereto.

LINE 231: FY2015 AMBULANCE DEPARTMENT BUDGETS

Description	Appropriated FY14	Requested FY15
Salary, Ambulance Director	\$ 13,396.00	\$13,716.18
Wages, Hourly – On-call EMT's, Billing Clerk	\$ 39,273.00	\$40,000.00
EMT Stipends	\$ 1,800.00	\$ 00.00
Health Insurance	\$ 36,967.00	\$36,980.00
Medicare	\$ 788.00	\$ 803.76
Expenses	\$ 24,700.00	\$24,707.00
Reserve Fund	\$ 5,000.00	\$ 5,000.00
Total Ambulance Department	\$ 121,924.00	\$121,206.94
Indirect Cost Expenses	\$39,967.00	\$39,967.00
<u>Total Ambulance Department Spending</u>	<u>\$161,891.00</u>	<u>\$161,173.94</u>

Summary: *This article presents the proposed Ambulance operating budget of the Town for FY2015.*

A majority vote is required for the passage of this article.

Sponsored by:
**AMBULANCE DEPARTMENT
BOARD OF SELECTMEN**

**Board of Selectmen: ALL IN FAVOR
Finance Committee: ALL IN FAVOR**

Article 8: Appropriate Solid Waste/Recycling Curbside Budget for FY2015

To see if the Town will vote to raise and appropriate, or transfer from available funds, including Solid Waste/Recycling receipts, a certain sum of money for the FY15 budget to operate the Solid Waste Enterprise; or take any other action relative thereto.

LINE 433: FY2015 SOLID WASTE/RECYCLING CURBSIDE COLLECTION BUDGETS

<u>Description</u>	<u>Appropriated FY14</u>	<u>Requested FY15</u>
Expenses	<u>\$224,464</u>	<u>\$229,953.28</u>
Total Solid Waste/Recycling Curbside Collection	\$224,464	\$229,953.28

Summary: *This article presents the proposed Solid Waste operating budget of the Town for FY2015.*

A majority vote is required for the passage of this article.

Sponsored by:
BOARD OF HEALTH

**Board of Selectmen: ALL IN FAVOR
Finance Committee: ALL IN FAVOR**

Article 9: Approve Five-Year Capital Improvement Plan for FY 2015 (See Appendix D)

To see if the Town will vote to approve the FY2015 Capital Budget, together with the ensuing four years, said five-year plan known as the Capital Improvement Plan, as set forth in Appendix E; or take any other action relative thereto.

Summary: *This article presents the proposed five (5) year Capital Plan.*

A majority vote is required for the passage of this article.

Sponsored by:
BOARD OF SELECTMEN

**Board of Selectmen: AT TOWN MEETING
Finance Committee: AT TOWN MEETING**

Article 10: Appropriate Capital Item for FY2015

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum or sums of money for the purpose of funding the FY 2015 Capital Budget item as follows:

Item #1 – International Plow/Sander 7400

\$157,000

DPW

or take any other action relative thereto.

Summary:

This article seeks funding for a DPW plow. In order to have the plow in place for next winter this equipment needs to be ordered in the summer. The Town is seeking to borrow needed Capital items and fund them through the Capital Stabilization Fund. The first bond payment for the truck would be in the amount of \$17,000 due in FY2016.

A 2/3 majority vote is required for the passage of this article.

Sponsored by:

BOARD OF SELECTMEN

Board of Selectmen: ALL IN FAVOR (PENDING FUNDING SOURCE)

Finance Committee: ALL IN FAVOR

Article 11: Establish & Re-establish Departmental Revolving Funds

To see if the Town will vote to authorize revolving funds under Massachusetts General Law, Chapter 44, Section 53E ½ for the following departments in Fiscal Year 2015 with expenditures from said funds shall be limited to a certain sum as specified during Fiscal Year 2015, or take any other action relative thereto:

a) Council on Aging Van Service (Re-establish)

Fiscal Year Expenditure Limit:	\$52,000
Authorized Department:	Council on Aging
Program or Purpose:	Van service for transporting the elderly and disabled
Revenue Source:	Fees, fares or reimbursement from Montachusett Regional Transportation Authority

b) Advertising & Postage Costs Advanced by Applicants (Re-establish)

Fiscal Year Expenditure Limit:	\$5,000
Authorized Department:	Relevant departments
Program or Purpose:	Pass-through account for legal advertisements and postage funded by applicants for licenses, permits, etc.
Revenue Source:	Charges, costs, and fees advanced or reimbursed by applicants in connection with applications for licenses, permits, variances, or other matters

c) Dog Licensing & Other Expenses (Re-establish)

Fiscal Year Expenditure Limit:	\$4,500
Authorized Department:	Town Clerk, Dog Officer
Program or Purpose:	Dog licensing & other expenses relating to dogs
Revenue Source:	Fees for licensing dogs

d) Boarding & Caring for Impounded Dogs (Re-establish)

Fiscal Year Expenditure Limit:	\$5,000
Authorized Department:	Police Department
Program or Purpose:	Boarding and caring for impounded dogs
Revenue Source:	Fines and payments by owners for boarding dogs

e) Wetlands By-law Expenses (Re-establish)

Fiscal Year Expenditure Limit: \$25,000
Authorized Department: Conservation Commission
Program or Purpose: Pass-through account for expert engineering and consulting services retained by the Conservation Commission for review of applications under the Wetlands Bylaw
Revenue Source: Costs and fees advanced by applicants

f) Fees & Expenses of Animal Control Officer (Re-establish)

Fiscal Year Expenditure Limit: \$3,000
Authorized Department: Board of Health
Program or Purpose: Pass-through account for paying the Animal Control Officer's stipend, fees, and other expenses
Revenue Source: Fees and charges assessed to owners for the inspection of domestic animals in accordance with Massachusetts General Laws Chapter 129, Section 19

g) Fees for Deputy Collector (Re-establish)

Fiscal Year Expenditure Limit: \$15,000
Authorized Department: Town Collector
Program or Purpose: Pass-through account to pay statutory fees earned by the Town's Deputy Collector (independent contractor)
Revenue Source: Fees added to, and paid with, overdue bills

h) Fees & Expenses of Field Driver (Re-establish)

Fiscal Year Expenditure Limit: \$2,000
Authorized Department: Police Department
Program or Purpose: Pass-through account for paying the fees and expenses of the Town's Field Driver
Revenue Source: Charges assessed to owners for collecting, transporting, and impounding their strayed animals

i) Fees & Expenses of Police Lock-up (Re-establish).

Fiscal Year Expenditure Limit: \$5,000
Authorized Department: Police Department
Program or Purpose: Pass-through account for providing lock-up facilities to other governmental entities
Revenue Source: Fees paid for use of cells

j) Expenses of Planning Board (Re-establish)

Fiscal Year Expenditure Limit: \$40,000
Authorized Department: Planning Board
Program or Purpose: Pass-through account for expert engineering and other consulting services, and for required legal advertising, and for expenses incurred by the Planning Board for review of applications under its Subdivision Control Regulations
Revenue Source: Costs and fees advanced by applicants

k) Expenses of Recycling (Re-establish)

Fiscal Year Expenditure Limit: \$3,000
Authorized Department: Board of Health
Program or Purpose: Pass-through account for expenses of recycling cardboard, glass, metals, paper, plastics, etc.
Revenue Source: Payments for recycled materials

l) Expenses of Recreational Fields (Re-establish)

Fiscal Year Expenditure Limit: \$25,000

Authorized Department: Recreation Fields Committee
Program or Purpose: For the costs of maintenance, equipment, and supplies, renovations and/or improvements to any and all Town-owned Recreation fields, including related design services
Revenue Source: Fees, donations, gifts

m) Council on Aging Medical Transport Expenses (Re-establish)

Fiscal Year Expenditure Limit: \$3500
Authorized Department: Council on Aging
Program or Purpose: For the costs of transportation to medical events for the elderly that supplements services already provided by the MART van
Revenue Source: Grants, donations, fares

n) Council on Aging Newsletter Printing Expenses (Re-establish)

Fiscal Year Expenditure Limit: \$4,000
Authorized Department: Council on Aging
Program or Purpose: For the costs of advertising and printing the monthly COA newsletter
Revenue Source: Revenue from advertisements; grants, donations

o) Conservation Forestry -Establish

Fiscal Year Expenditure Limit: \$25,000
Authorized Department: Conservation Commission
Program or Purpose: Costs of oversight and management of conservation land, including forest land
Revenue Source: Revenue from Forestry undertaken on Town Conservation Land

Description: The purpose of utilizing receipts and fees received in connection with the sale and harvest of timber, and other forestry products, conducted on Town-owned conservation land under the care and custody of the Shirley Conservation Commission, said receipts and fees to be credited to said account and expended by the Conservation Commission for oversight and management of conservation lands owned by the Town, with the maximum amount in said account not to exceed \$25,000 for Fiscal Year 2015.

Summary: *Some of the Town's governmental functions are able to produce enough revenue, through fees, grants, and the like, to support particular expenses. Formerly the Town had to raise the expense money at Town Meeting and then offset the appropriation with estimated receipts to keep the tax rate at a minimum. More recently state law has provided for the use of revolving funds, and now this article has become a standard article in Shirley.*

The result is essentially the same, but the balancing is demystified. The voter can clearly see what is happening, rather than worry whether a particular revenue stream is truly being used to fund the service for which it is received versus some other unrelated function. The law requires that revolving funds generally be voted at an Annual Town Meeting and renewed annually.

All of these revolving funds and are being recommended for re-establishment for FY2015. This article also establishes the Conservation Commission Forestry Revolving Fund.

A majority vote is required for the passage of this article.

**Sponsored by:
BOARD OF SELECTMEN**

**Board of Selectmen: ALL IN FAVOR
Finance Committee: ALL IN FAVOR**

Article 12: Adopt Article XXX Streetlights By-Law

To see if the Town will vote to amend the Code of the Town of Shirley by inserting a new by-law, Article XXX, Streetlights, which shall provide as follows:

Establishment; Purpose:

The Town of Shirley has taken ownership of town-wide street lighting, effective 28 September 2014. The purpose of this bylaw is to establish a consistent and standardized process to be used by the Town to determine the placement and technical requirements of street lights, so as to improve public safety, increase operational efficiency, to conserve natural resources and to unify the aesthetic qualities of the Town by encouraging uniform, quality and economical town wide lighting on Town public and private ways.

Applicability:

The provisions of this bylaw shall apply to the installation, replacement or repair of any street lights in the Town of Shirley, including lights along or abutting upon all public and private ways within the Town.

Requirements:

Section 1: No person or entity shall erect, install or replace a street light upon or abutting any public or private way in the Town of Shirley without first obtaining a permit from the Board of Selectmen.

Section 2: The Board of Selectmen shall adopt, and may amend from time to time, a policy to effectuate the purposes of this Bylaw. Said policy shall establish uniform technical standards and procedures applicable to the erection, maintenance, repair and replacement of street lights in the Town of Shirley, and may include but not be limited-to the following elements:

- (a) establishing street light technical standards that prioritize energy efficiency and consistency throughout the Town;
- (b) establishing procedures for processing requests for installation, repair or replacement of street lights and for determining who will be responsible for the costs of such installation, repair or replacement; and
- (c) establishing objective criteria for the placement of street lights where increased lighting is necessary for the safety of motor and pedestrian traffic.

or to take any other action relative thereto.

A majority vote is required for the passage of this article.

Summary: *The Town of Shirley has taken ownership of town wide street lighting, effective September 28, 2014. This by-law encourages uniform, quality and economical town wide lighting on town approved roads as well as site specific lighting requirements for future developments and will enhance public safety and security. The provisions of this by-law shall apply to any replacement of existing Town lighting stock and for new developments includes acceptable standards that will allow for uniform lighting throughout Shirley and the related economic issues.*

**Sponsored by:
TOWN CLERK
BOARD OF SELECTMEN**

**Board of Selectmen: ALL IN FAVOR
Finance Committee: ALL IN FAVOR**

Article 13: Amend Article IV of the Financial Affairs Bylaw

To see if the Town will vote to amend Article III, "Financial Affairs," of the Code of the Town of Shirley as set forth below, with text to be inserted shown by underlining and text to be deleted shown by strikethrough, or take any other action relative thereto.

Establishment; Purpose:

There shall be in the Town of Shirley a set of financial affairs bylaws intended to encourage standardized and transparent financial and accounting practices, in keeping with Massachusetts General Laws and applicable accounting standards.

Applicability:

The provisions of this Chapter shall apply to the Town's financial affairs as addressed herein.

Compliance:

- | | |
|----------------------|---|
| Section 1 | The Town Treasurer shall pay no money from the Treasury, except upon a warrant or order therefore signed by the majority of the Selectmen, except as otherwise provided by law. |
| Section 2 | Each officer, board or committee authorized to spend money shall, on or before June twentieth of the year, transmit to the Selectmen all unpaid bills outstanding as of that date. Books of the Town shall be closed as of the thirtieth of June of each year. [Amended May 18, 1981 ATM, Art. 22] |
| Section 3 | Every officer shall pay into the treasury of the Town all amounts received by him on behalf of the Town except as otherwise provided by law and shall make a true return thereof to the Selectmen stating the accounts upon which such amounts were received. |
| Section 4 | The Selectmen shall prescribe the methods of accounting and the forms to be used by the several officers, boards, committees of the Town pertaining to their receipts and disbursements, and shall provide that such methods and forms shall conform to the requirements prescribed by law or any rules or regulations made there under. |
| Section 5 | Except as otherwise provided by law, the Treasurer shall have custody of deeds, bonds, contracts, insurance policies, and other similar documents owned by the Town, except that the bonds given by the Treasurer and the Collector of Taxes to the Town shall be in custody of the Selectmen. |
| Section 6 | No officer of the Town shall in his official capacity make or pass upon or participate in making or passing upon, any sale, contract or agreement or the terms or amount of any payment in which the Town is interested and in which such officer has any personal interest, direct or indirect. |
| Section 7 | No contract involving an obligation of the Town in excess of \$500.00 shall be binding upon the Town unless it is in writing and is signed by at least a majority of the board or committee duly authorized or having control of the appropriation against which such obligation is incurred; and such board or committee shall make a record of every such contract in a book which shall be the property of the Town. [Amended May 18, 1981 ATM, Art. 18] |
| Section 8 | No board or officer shall make any contract in behalf of the Town, the execution of which shall necessarily extend beyond one year from the date thereof, unless specific authority to do so has been given by vote of the Town, except as otherwise provided by law. |
| Section 9 | Every contract exceeding \$2,000.00 shall be accompanied by a suitable bond for the performance of the same, or by the deposit of money or security to the amount of such bond if so requested by the officer or board authorized to make contact. [Amended May 18, 1981 ATM, Art.20] |

~~Section 10~~ ~~No sum in excess of \$4,000.00 shall be expended in any year out of a departmental appropriation for operating expenses for any item having an expected life in excess of two years. This provision shall not apply to the School Department or the Road Machinery Fund. [Amended May 18, 1981 ATM, Art 21; and May 18, 1987 ATM, Art.19]~~

Section 8 **The procurement of supplies and services, and the acquisition and disposition of real property shall be undertaken in conformity with the provisions of Massachusetts General Laws Chapter 30B as it may, from time to time, be amended, including but not limited to the use of sound business practices, solicitation of quotations, and competitive sealed bids or proposals, all as specified in detail in said Chapter 30B. All other contracts shall be in conformity with applicable general laws, including but not limited to Massachusetts General Laws Chapter 30, Section 39M, Chapter 149, and Chapter 149A.**

Section 9 **RESERVED**

Section 10 **RESERVED**

Section 11 [DELETED May 16, 1994 ATM, Art. 22]

Section 12 Any person or persons presenting any matter to the Planning Board, Conservation Commission, Board of Health, or any other board of the Town, or the Building or Zoning Inspector, which requires the Town to incur expense for compliance with the Zoning By-Law, Town By-Laws, State Statutes, and Federal Statutes, shall reimburse the Town for such expenses. [Added May 18, 1976 ATM, Art. 48]

Section 13 Payment of Taxes or Assessments [Added Oct 18, 1993 STM, Art. 1]

Section 13.1 The Tax Collector shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfer, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

Section 13.2 The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers held by any party whose name appears on said list furnished to the licensing authority by the Tax Collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector, provided, however, that written notice is given to the party and the Tax Collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit held by any party. The Tax Collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension.

Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purpose of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority received a certificate issued by the Tax Collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments, or other municipal charges, payable to the municipality as of the date of issuance of said certificate.

Section 13.3 Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said

license or permit; provided, however, that the holder shall be given notice and a hearing as required by applicable provisions of law.

Section 13.4 The Licensing Authority may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in Section One of Chapter 268 of the General Laws, in the business or activity conducted in or on said property.

This section shall not apply to the following licenses or permits: open burning, bicycle permits, sale of articles for charitable purposes, children work permits, clubs and associations dispensing food or beverage licenses, dog, fishing, hunting and trapping licenses, marriage licenses and theatrical event and public exhibition permits.

Section 14 Authorization to Dispose of Equipment [Added June 5, 1995 ATM, Art. 11]

1. A Board, Commission, Committee, Officer, or Department Head of the Town, with the written approval of the Board of Selectmen, may trade or sell at auction, by open or sealed bid, equipment that has been used by the Department and has a current estimated value of less than \$10,000.

2. Such auction shall be advertised at the expense of the Department at least two weeks in advance in the newspaper having general circulation in the Town.

Section 15 Pursuant to Massachusetts General Law Chapter 40 Section 21E, all municipal charges and bills are due thirty (30) days from the billing date. Any charge or bill outstanding after the due date shall be assessed interest and penalty on the delinquent amount from the billing date until such charge is paid in full in an amount equal to the interest and penalty permitted to be charged per Massachusetts General Law, Chapter 59, Section 57.

or act in relation thereto.

A majority vote is required for the passage of this article.

Summary: *This article seeks to alter the Financial Affairs Bylaw so that they are more in line with Massachusetts General Laws.*

***Sponsored by:
TOWN CLERK
BOARD OF SELECTMEN***

**Board of Selectmen: ALL IN FAVOR
Finance Committee: ALL IN FAVOR**

Article 14: Special Legislation - Town Collector & Town Clerk Position

To see if the Town will authorize the Selectmen to petition the General Court to enact special legislation changing the manner of selection of the Town Collector & Town Clerk from elected to appointed, as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to such bill, unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition, or take any other action relative thereto.

An Act Providing for Appointment of the Town Collector and Town Clerk in the Town of Shirley

SECTION 1. Notwithstanding section 1 of chapter 41 of the General Laws or any other general or special law to the contrary, there shall be in the town of Shirley a town clerk and town collector, each of whom shall be appointed by the board of selectmen for a term not to exceed three years and whom may be removed by said board for cause. The appointed town clerk and town collector shall have all the powers and duties imposed by law, respectively, upon town clerks and town collectors.

SECTION 2. Notwithstanding section 1, any elected incumbent in the office of town collector or town clerk as of the effective date of this act shall continue to hold such office and perform the duties thereof until the expiration of the elected term or sooner vacating of office. Upon such expiration of term or sooner vacating of office, the elected position of town collector and town clerk shall be abolished.

SECTION 3. This act shall take effect upon passage.

Summary: *This Article, as presented and if adopted, would authorize the Selectmen to petition the General Court to enact Special Legislation to change the Town Collector & Town Clerk position from an elected position to an appointed position by the Board of Selectmen upon the expiration of the current term of the elected Tax Collector & Town Clerk, or when the current elected incumbent resigns from or vacates the office, whichever is sooner.*

A majority vote is required for the passage of this Article.

Sponsored by:
BOARD OF SELECTMEN

Board of Selectmen: ALL IN FAVOR
Finance Committee: ALL IN FAVOR

Article 15: Renew Limited Additional Property Tax Exemption

To see if the Town will vote to accept the provisions of M.G.L. Chapter 73 of the Acts of 1986, to grant additional real estate tax exemptions of 100% for fiscal year 2014 to persons who qualify for property tax exemptions under Clauses 17D, 22, 22A, 22B, 22C, 22E, 37A, and 41C of Section 5 of Chapter 59; or take any other action relative thereto.

Summary: *The Commonwealth of Massachusetts allows exemptions to qualified persons that help to defray the amount of property taxes to be paid. Each exemption has requirements that the applicant must meet in order to be eligible. Exemption must be approved by the Assessors. This article provides that the Town grant an additional exemption, above the statutory amount, not to exceed 100%, provided that an applicant cannot pay less than what was paid in the preceding year on the property.*

A majority vote is required for the passage of this article

Sponsored by:
ASSESSORS

Board of Selectmen: ALL IN FAVOR
Finance Committee: ALL IN FAVOR

Article 16: Transfer to the General Stabilization Fund

To see if the Town will vote to transfer a sum of money to the General Stabilization Fund by a transfer from available funds; or take any other action relative thereto.

Summary: *This article transfers to the General Stabilization Fund surplus funds realized as a result of any other actions taken in the previous articles of this warrant. Additionally, should additional revenues be recognized or state aid increase after the signing of this warrant, the Town has the means to "capture" those revenues with this article, and deposit those receipts into the Stabilization Fund.*

A two-thirds vote is required for passage of this article.

Sponsored by:
BOARD OF SELECTMEN

Board of Selectmen: ALL IN FAVOR
Finance Committee: ALL IN FAVOR

Article 17: Transfer to the Capital Stabilization Fund

To see if the Town will vote to transfer a sum of money to the Capital Stabilization Fund by a transfer from available funds; or take any other action relative thereto.

Summary: *This article transfers to the Capital Stabilization Fund surplus funds realized as a result of any other actions taken in the previous articles of this warrant. Additionally, should additional revenues be recognized or state aid increase after the signing of this warrant, the Town has the means to "capture" those revenues with this article, and deposit those receipts into the Stabilization Fund.*

A two-thirds vote is required for passage of this article.

Sponsored by:
BOARD OF SELECTMEN

Board of Selectmen: ALL IN FAVOR
Finance Committee: ALL IN FAVOR

* * * *

And you will serve this Warrant by posting true and attested copies of same at the Town Offices and the Hazen Memorial Library in Shirley Village, at the Center Town Hall in Shirley Center, and a like copy at the United States Post Office in Shirley Village, fourteen days at least before the time appointed for said Meeting.

Hereof fail not and make due return of this Warrant with your doings therein to one of the Selectmen, on or before the date of the Meeting.

Given under our hands at Shirley, this twelfth Day of May, 2014.

BOARD OF SELECTMEN

Kendra J. Dumont
Chair

Robert E. Prescott, Jr
Vice Chair

David N. Swain
Clerk

A true copy.
Attest:

Amy R. McDougall
Town Clerk

* * * *

* * * *

RETURN OF SERVICE

I certify that on the _____ Day of _____, 2014, I duly posted true and attested copies of the foregoing Warrant at the following places and times:

Town Offices _____M.

U. S. Post Office _____M.

Center Town Hall _____M.

Hazen Memorial Library _____M.

Constable, Signature

Constable, Printed Name

* * * *



COMMITTEE INTEREST FORM

Please Return to: Board of Selectmen

7 Keady Way, Shirley, MA 01464

Name:

Address:

Phone: (c)

(h/w)

Email:

Please list the Committee(s)/Board s) you are interested in Serving:

Please explain your interest in this Committee/Board and any unique qualifications you may have:

CURRENT VACANCIES:

**ZBA
Planning Board
Finance Committee
Personnel Board
Historical/Historic District Commission
Benjamin Hill Park
Cemetery Commission**

TOWN OF SHIRLEY

7 Keady Way
Shirley, MA 01464

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Shirley, MA 01464

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